

WYC:tmp 60109 1/31/03

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Davis et al.

Art Unit 3625 Conf. No.: 5321

Application No.: 09/502,542

Filed: February 10, 2000

For: METHOD AND SYSTEM FOR
FACILITATING ON-LINE
SHOPPING.

Examiner: M. Fadok

Date: January 31, 2003

CERTIFICATE OF FAXING

I hereby certify that theses papers are being
facsimile transmitted to the US Patent Office,
703-872-9326 on January 31, 2003.William Y. Conwell, Reg. No. 31,943
Attorney for Applicant#9 Response
PDS
2/4/03RESPONSEASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Responsive to the Action mailed October 31, 2002, applicants note as follows:

REMARKS

Claims 1-14 remain pending in the application without amendment.

Reconsideration is requested in view of the following remarks.

Claims 8 and 9 stand rejected under Section 102 over Kenny.

To expedite examination, applicants would be willing to rewrite claim 9 in
independent form, and cancel claim 8, upon the indication of allowable subject matter in
claim 9.Kenny is not understood to teach the limitation specified in claim 9, i.e., that
items of potential interest to a shopper - which items are presented more prominently than
other items - are identified *by reference to that shopper's prior shopping history*. Instead,
Kenny's prominent "Special Today" features (Fig. 7) appear to be presented to *all*
shoppers, irrespective of their individual prior shopping histories.Claims 1, 2 and 7 stand rejected under Section 103 over Scroggie in view of
Official Notice, and further in view of Kenny.